

Regulation of crane operators  
(HB 384 by Cain/Brooks)

DIGEST: HB 384 would have required the Texas Department of Labor and Standards to regulate, license and enforce the operation of certain construction cranes. Cranes used by the oil and gas industry on off-shore drilling platforms, rotary drillings rigs used in oil and gas production, and any vehicle or equipment without a power-operated winch and load line would not have been regulated. Certain crane operators would have been exempt from licensing. The bill would have made it a Class B misdemeanor to operate a crane without a license and a third-degree felony to operate a crane under the influence of alcohol or drugs.

GOVERNOR'S  
REASON  
FOR VETO:

The governor said the original intent of HB 384 was good but that the bill as passed did not go far enough. "The bill is ambiguous in that it excludes many operators from being tested, gives licenses to some operators without being tested, and the cost which are to be defrayed could take as much as \$900 per application." Further, the bill did not address accidents in the assembling and disassembling of cranes, he said.

The governor said the bill would have allowed a company that is a member of an association or union and has a qualified training program to be exempt from licensing employees. It is clear that the Senate legislative intent during the debate on the bill eliminates the need to read and write to take the examination even though existing law requires signs and warning to be in writing.

AUTHOR'S  
VIEW:

Rep. David Cain said he was very disappointed the governor had vetoed HB 384. "Everyone worked very hard to pass this bill that would have helped address the regulation of cranes operators, which is skilled and dangerous work. The governor's veto has set back the attempt to protect the workplace and the public safety."

NOTES: The House Research Organization analysis of HB 384 appeared in the May 19, 1987 Daily Floor Report.